



Atty. Dkt. No. 333158-1150  
Application Serial No. 10/789,432

*JAW*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gerald A. GUTER, et al.  
Title: BIO DEGRADATION OF  
OXYANIONS SUCH AS  
PERCHLORATE ON ION  
EXCHANGE RESINS  
Appl. No.: 10/789,432  
Filing Date: 2/26/2004  
Examiner: Unassigned  
Art Unit: 1751

<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.  _____ Esther Lily C. Esguerra (Printed Name)  _____ <i>Esther Lily C. Esguerra</i> (Signature)  _____ August 10, 2005 (Date of Deposit)
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed 2/11/2005, in the above-identified patent application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- [ X ] Transmittal of Missing Parts of Patent Application;
- [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the response filed within the fourth month;
- [ X ] Declaration and Power of Attorney (8 pgs.);
- [ X ] Formal Drawings Figs. 1-4 (3 pgs.);
- [ X ] Return Copy of Notice to File Missing Parts;
- [ X ] Change of Correspondence Address.

The filing fee is calculated below:


Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Filing Fee			\$790.00	\$790.00
Total Claims: 39	- 20	= 19	x \$50.00	= \$950.00
Independents: 8	- 3	= 5	x \$200.00	= \$1000.00
If any Multiple Dependent Claim(s) present:			+ \$360.00	= \$360.00
Surcharge under 37 CFR 1.16(f) for late filing of Executed Declaration and late payment of filing fee			+ \$130.00	= \$130.00
[ X ] Extension fee for response filed within the fourth month:			+ \$1,590.00	= \$1,590.00
			SUBTOTAL	= \$4,820.00
[ X ] Small Entity Fees Apply (subtract ½ of above):			=	\$2,410.00
			TOTAL FILING FEE:	= \$2,410.00
Processing Fee under 37 CFR 1.17(i) for Late Filing of English Translation of Application:			+ \$130.00	= \$0.00
			TOTAL FEE	= \$2,410.00
Difference to pay:			- \$0.00	= \$2,410.00

[ X ] Check in the amount of \$2,410.00 in payment of surcharge fee (37 C.F.R. § 1.16(f)).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date: August 10, 2005

By 

FOLEY & LARDNER LLP  
Customer Number: 38706  
Telephone: (650) 251-1155  
Facsimile: (650) 856-3710

Stephen Todd  
Attorney for Applicant  
Registration No. 47,139



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,432	02/26/2004	Gerald A. Guter	33158-20003.00

William H. Benz  
 Foley & Lardner LLP  
 Three Palo Alto Square  
 3000 El Camino Real, Suite 100  
 Palo Alto, CA 94306-2121



CONFIRMATION NO. 5691

## FORMALITIES LETTER



\*OC000000015170207\*

Date Mailed: 02/11/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/16/2005 HVUONG1 00000068 10789432

02 FC:2001	395.00 OP
03 FC:2051	65.00 OP
04 FC:2202	475.00 OP
05 FC:2201	500.00 OP
06 FC:2203	180.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 395 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$65 was not received.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 1-4.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1155 as a small entity, including any required multiple dependent claim fee, are

required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

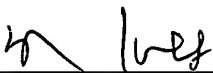
Total additional fee(s) required for this application is **\$1615** for a Small Entity

- **\$395** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
  
- Total additional claim fee(s) for this application is **\$1155**
  - **\$500** for **5** independent claims over 3.
  - **\$475** for **19** total claims over 20.
  - **\$180** for multiple dependent claim surcharge.

Replies should be mailed to:    Mail Stop Missing Parts  
                                                 Commissioner for Patents  
                                                 P.O. Box 1450  
                                                 Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE